

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15807 of 2017

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Madan Mohan Thakur son of Late Rajeshwar Thakur Resident of Pupri, P.S.
Pupri, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development & Housing Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur, District - Muzaffarpur.
4. The District Magistrate, Sitamarhi, District - Sitamarhi.
5. The Superintendent of Police, Sitamarhi, District - Sitamarhi.
6. The Sub-Divisional Officer, Pupri, District - Sitamarhi.
7. The Circle Officer, Pupri, District - Sitamarhi.
8. The Station Head Officer, Pupri, District - Sitamarhi.
9. The Executive Officer, Nagar Panchayat Janakpur Road, Pupri, District - Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Respondent/s : Mr. Y.P. Sinha-AAG-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-07-2018

Keeping in view the counter affidavit filed by the
Dy.S.P. (Headquarter), Sitamarhi, and the averments made from
Paragraphs 6 to 8 onwards, which reads as under:-

“6. That it is transpired that the petitioner has raised his grievance by submitting an application under the provision of public Grievance Redressal Act before the concerned authorities. In the said application, he sought removal of encroachment from the road and public places and



shifting of burning ground which are falling under the Nagar Panchayat Janakpur Road, Pupri.

7. That it is further transpired that the concerned authority has already passed the reasoned order whereby and where under the land of plot no. 322 under Thana no. 183 is found to be drainage which is not under encroachment. So far as allotment of land and shop is concerned, the petitioner has been directed to raise his matter before the Executive Officer, Nagar Panchayat Pupri the land for Tempoo and bus stand has already been identified from where it is playing (annexure 2,3 and 4 of the writ petition).

8. That regarding the direction in the ore of the to the station House Office, Pupri Police Station for removal of encroachment of the concerned authorities under public Grievance Redressal Act, it is submitted that the SHO submitted compliance report dated 15.04.2018 stating therein that some action has been taken and some correctional step in phase wise is being taken.”

we are satisfied that the authorities have taken action in the matter and with regard to removal of street vendors and their rehabilitation the concerned authorities may proceed in accordance with law i.e. the Street Vendors Act, 2014 and proceed to remove the street vendors and rehabilitate them in accordance with law at an appropriate place preferably within a period of six months.



With the aforesaid, the writ petition stands disposed
of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-R.S. Sen

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	19.07.2018
Transmission Date	

